

Remarks

The Office Action mailed May 13, 2003 has been received and the Examiner's comments carefully reviewed. Prior to entry of this paper, Claims 1-18 were pending. Claims 1-18 were rejected. In this paper, Claims 1-18 have been cancelled, and new claims 19-41 have been added. Claims 19-41 are currently pending. No new subject matter has been added. For at least the following reasons, Applicants respectfully submit that the presently pending claims are in condition for allowance.

Request for Information

The Office Action made a requirement under 37 CFR 1.105 for submission of information reasonably necessary to properly examine and treat the claimed subject matter. Specially, the request related to information related to the endeavor or business practices used by applicant's professional business ventures, information used in the invention process, and identification of any use of the claimed invention known to the inventor at the time the application was filed.

It is respectfully submitted that the requirement for information is moot because of the amendment to the claims. Cancelled claims 1-18 were allegedly directed to a business method and the like. However, although the newly submitted claims 19-41 can be used in the course of business, they have other uses and are not to be construed as business method claims per se. At least because none of the pending claims are business method claims per se, the requirement for additional information is now moot. Therefore, it is respectfully submitted that all of the information that is reasonably necessary to properly examine the application that is known and reasonably available to the applicant has already been submitted.

Objection to Declaration

The Office Action objected to the oath or declaration as having non-initialed alterations.

A new declaration in compliance with 37 CFR 1.67 (a) identifying the application and filing number has been submitted with this response. Accordingly, it is respectfully submitted that the objection to the oath or declaration has been overcome.

Objection to the Specification

The specification has been objected to as improperly incorporating essential material by reference.

It is respectfully submitted that no applications are incorporated by reference in the specification. The specification refers to five patents in the “related art” section of the specification. However, since none of the five patents referred to were either explicitly or implicitly incorporated by reference into the specification, this objection is not sustainable. These five patents were merely disclosed to generally explain the background of the invention to a person of ordinary skill. Also, none of the information (including the discussion of the five patents) contained in the “related art” section is necessary to understand or thoroughly examine the application.

Accordingly, since all of the references referred to in the “related art” section do not contain essential material and were never designated for incorporation by reference, it is respectfully submitted that the objection to the specification should be withdrawn.

Claim Objections and Rejections

Claims 1-18 were cancelled. Accordingly, it is respectfully submitted that all objections and rejections to Claims 1-18 are now rendered moot.

Also, new claims 19-41 are submitted to be allowable at least because each independent claim employs determining the location of a mobile terminal in conjunction with the selection of a link to a resource to provide related content to the mobile terminal. None of the references previously cited in the last Office Action suggest or teach this novel and non-obvious aspect of the invention. Therefore, any further discussion of the previously cited references, either singly or in combination, is now moot.

Since Claims 19-41 are believed to be in condition for allowance for at least the reasons stated above, notice to that effect is earnestly solicited.

The Examiner is invited to contact Applicants' representative at the below-listed telephone number if it is believed that prosecution of this application may be assisted thereby. Although certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentably distinct. Applicants reserve the right to raise these arguments in the future.

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Respectfully submitted,

By 

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